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February 8, 2007

Mr. Brad Scott
Regional Administrator
U. S. General Services Administration (GSA)
GSA Greater Southwest Region
1500 East Bannister Road
Kansas City, Missouri 64131

RE: Notice of Suitability for Early Transfer Determination that the Former Hardesty Federal Center, Kansas City, Missouri will be suitable for an Early Transfer Authority Transfer/Agreement to Covenant Deferral

Dear Mr. Scott:

This letter is to notify you of my determination that the property known as the former Hardesty Federal Center, Kansas City, Missouri, is suitable for transfer pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) at 42 U.S.C. §9620(h)(3)(C) so long as the conditions below are met. I am pleased with the efforts of the General Services Administration (GSA) to return the Former Hardesty Federal Center to beneficial reuse and agree with the GSA decision to complete a "Deferred Covenant" transfer to non-federal ownership of the 18.267-acre tract. I understand that GSA is requesting the early transfer to coordinate its efforts with the state so the redevelopment/reuse of the property can proceed smoothly once a buyer is found for the site. I concur that the CERCLA covenants may be deferred once the property is transferred. This determination and agreement is based upon a finding by GSA at the time of sale or transfer that:

1. The property will be suitable for transfer for the uses intended by the proposed transferee, and the intended use will be consistent with protection of human health and the environment;

2. The deed or other agreement proposed to govern the transfer between the United States and the transferee of the property will contain adequate assurances that:
 - a. provide for any necessary restrictions on the use of the property to ensure the protection of human health and the environment;
 - b. keep restrictions on use to ensure that required remedial investigations, response action, and oversight activities will not be disrupted;
 - c. provide that all necessary response action will be taken and identify the schedules for investigation and completion of all necessary response action as approved by the appropriate regulatory agency; and
 - d. provide that the federal agency responsible for the property will submit a budget request to the Office of Management and Budget that adequately addresses schedules for investigation and completion of all necessary response action, subject to congressional authorizations and appropriations.
3. GSA, the federal agency requesting deferral, has provided notice, by publication in a newspaper of general circulation in the vicinity of the property, of the proposed transfer and of the opportunity for the public to submit, within a period of not less than 30 days after the date of the notice, written comments on the suitability of the property for transfer;
4. The deferral and the transfer of the property will not substantially delay any necessary response action at the property;
5. GSA shall remain fully responsible for any remediation of hazardous substances that were on site as of the date of conveyance, whether known or unknown, that are necessary at the site notwithstanding any agreements that GSA may have with third parties; and,
6. The Notice of Suitability for Early Transfer submitted by GSA and any covenant deferral made pursuant to this agreement does not waive or impact in any way the State's right to recover any damages that may have been caused to natural resources.

This finding of suitability is made pursuant to CERCLA Section 120(h)(3)(C)(i), 42 USC 9620(h)(3)(C)(i), and is based on a review of the Notice of Suitability for Early Transfer dated February 24, 2006.

I very much want to encourage cleanup and redevelopment of sites such as the Hardesty Federal Center. While fostering a favorable climate for such, I want to avoid creating an orphaned site where it is unclear who is actually responsible for the environmental liability at this site. Therefore, the provisions of this letter are available and in effect for a period of five years from the date of the letter. At the end of the five-year period they will become null and void, and the full responsibility for the environmental liability will again be borne by the GSA unless the GSA has legally and completely transferred all of the site property in accordance with the conditions of this letter.

Sincerely,

A handwritten signature in black ink that reads "Matt Blunt". The signature is stylized, with a large, looped "M" and a cursive "Blunt".

Matt Blunt